

BEFORE THE
CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD

THIS DECISION DESIGNATES FORMER BENEFIT
DECISION NO. 5293 AS A PRECEDENT
DECISION PURSUANT TO SECTION
409 OF THE UNEMPLOYMENT
INSURANCE CODE.

In the Matter of:

EDWARD E. DELANCEY
(Claimant)
S.S.A. No.

AMERICAN RADIATOR AND
STANDARD SANITARY CORPORATION
(Employer-Appellant)

PRECEDENT
BENEFIT DECISION
No. P-B-280

FORMERLY BENEFIT DECISION No. 5293
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The above-named employer on November 9, 1948, appealed from the decision of a Referee (LA-16403) which held that the claimant voluntarily left his most recent employment but with good cause within the meaning of Section 58(a)(1) of the Unemployment Insurance Act /now section 1256 of the Unemployment Insurance Code7.

Based on the record before us, our statement of fact, reason for decision and decision are as follows:

STATEMENT OF FACT

The claimant was last employed as a production worker for one and one-half days by the employer herein at a wage of \$1.15 per hour. He voluntarily left this work on September 9, 1948, for reasons hereinafter set forth.

On September 20, 1948, the claimant reopened a previously filed claim for benefits in the Torrance office of the Department of Employment. Thereafter, on October 2, 1948, the Department issued a determination which held that the claimant voluntarily left his most

recent work but with good cause within the meaning of Section 58(a)(1) of the Act /now section 1256 of the code7. The employer appealed and a Referee affirmed the determination.

When the claimant was first hired by the employer herein he was under the impression that he was to work as a kiln placer on a rotating shift alternating on a monthly basis between swing, graveyard and daytime hours. Through a misunderstanding the employer assumed that the claimant was accepting the identical position at the same rate of pay but on a straight day shift. After working one and one-half days the claimant learned he was assigned to the regular daytime shift whereupon he resigned. He did so for the reason that he wanted to supplement the offered rate of pay with "extra money" from additional daytime employment while working nights on the rotating shift until he had "worked up to a raise" with the employer.

REASON FOR DECISION

In the instant case we do not agree with the Referee that the claimant herein has established that he had good cause for leaving his last employment.

The single objection which the claimant voices as to the position is that the hours interfered with his desire to increase his salary from "extra" work which he might obtain during the day. That objection, on the facts before us, falls short of establishing any real and compelling causation for his action in terminating his work. Certainly the claimant's desire for additional income is understandable but it does not, in our opinion, justify a finding of good cause for leaving his employment. Accordingly, we hold that the claimant is disqualified for benefits under Section 58(a)(1) of the Act /now section 1256 of the code7 for the maximum period provided in Section 58(b) of the statute /now section 1260 of the code7.

DECISION

The decision of the Referee is reversed. Benefits are denied.

Sacramento, California, February 17, 1949.

CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD

MICHAEL B. KUNZ, Chairman

GLENN V. WALLS

PETER E. MITCHELL

Pursuant to section 409 of the Unemployment Insurance Code, the above Benefit Decision No. 5293 is hereby designated as Precedent Decision No. P-B-280.

Sacramento, California, March 23, 1976.

CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD

DON BLEWETT, Chairperson

MARILYN H. GRACE

CARL A. BRITSCHGI

HARRY K. GRAFE

RICHARD H. MARRIOTT

